

Current LR 3.1

LR 3.1 CIVIL COVER SHEET

Where it appears from the complaint, petition or other pleading that (1) the cause of action arose OR any plaintiff or defendant resides in: Crawford, Elk, Erie, Forest, McKean, Venango, or Warren County, the clerk shall give such complaint, petition or other pleading an Erie number and it shall be placed upon the Erie calendar. Should it appear from the complaint, petition or other pleading that (2) the cause of action arose OR any plaintiff or defendant resides in: Bedford, Blair, Cambria, Clearfield or Somerset County, the clerk shall give such complaint, petition or other pleading a Johnstown number and it shall be placed upon the Johnstown calendar. All other cases or matters for litigation shall be docketed and processed at Pittsburgh. Any complaint, petition or other pleading or document for an Erie or Johnstown case must be filed in duplicate. In the event of a conflict between divisions, the clerk of court shall place the action in the division of plaintiff's choice.

New LR 3.1 (deleting line “Any complaint, petition or other pleading or document for an Erie or Johnstown case must be filed in duplicate.”)

LR 3.1 CIVIL COVER SHEET

Where it appears from the complaint, petition or other pleading that (1) the cause of action arose OR any plaintiff or defendant resides in: Crawford, Elk, Erie, Forest, McKean, Venango, or Warren County, the clerk shall give such complaint, petition or other pleading an Erie number and it shall be placed upon the Erie calendar. Should it appear from the complaint, petition or other pleading that (2) the cause of action arose OR any plaintiff or defendant resides in: Bedford, Blair, Cambria, Clearfield or Somerset County, the clerk shall give such complaint, petition or other pleading a Johnstown number and it shall be placed upon the Johnstown calendar. All other cases or matters for litigation shall be docketed and processed at Pittsburgh. In the event of a conflict between divisions, the clerk of court shall place the action in the division of plaintiff's choice.

Current LR 3.2

LR 3.2 DISCLOSURE STATEMENT

A. A corporation, association, joint venture, partnership, syndicate, or other similar entity appearing as a party or amicus in any proceeding shall file a Disclosure Statement, at the time of the filing of the initial pleading, or other court paper on behalf of that party or as otherwise ordered by the court, identifying all parent companies, subsidiaries, and affiliates that have issued shares or debt securities to the public. In emergency or any other situations where it is impossible or impracticable to file the Disclosure Statement with the initial pleading, or other court paper, it shall be filed within seven days of the date of the original filing. For the purposes of this rule, “affiliate” shall be a person that directly, or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with, the specified entity; “parent” shall be an affiliate controlling such entity directly, or indirectly through intermediaries; and “subsidiary” shall be an affiliate controlled by such entity directly or indirectly through one or more intermediaries.

B. The purpose of this Disclosure Statement is to enable the judges of this court to determine the need for recusal pursuant to 28 U.S.C. §455 or otherwise. Counsel shall have the continuing obligation to amend the disclosure statement to reflect relevant changes.

C. The statement shall identify the represented entity’s general nature and purpose and if the entity is unincorporated, the statement shall include the names of any members of the entity that have issued shares or debt securities to the public. No such listing need be made, however, of the names of members of a trade association or professional association. For purposes of this rule, a “trade association” is a continuing association of numerous organizations or individuals operated for the purpose of promoting the general commercial, professional, legislative, or other interests of the membership. The form of the Disclosure Statement is set forth in Appendix A to these Rules.

New LR 7.1.1 (deleting existing LR 3.2 and adopting new LR 7.1.1)

LR 7.1.1 DISCLOSURE STATEMENT

A. A corporation, association, joint venture, partnership, syndicate, or other similar entity appearing as a party or amicus in any proceeding shall file a Disclosure Statement, at the time of the filing of the initial pleading, or other court paper on behalf of that party or as otherwise ordered by the court, identifying all parent companies, subsidiaries, and affiliates that have issued shares or debt securities to the public. In emergency or any other situations where it is impossible or impracticable to file the Disclosure Statement with the initial pleading, or other court paper, it shall be filed within seven days of the date of the original filing. For the purposes of this rule, “affiliate” shall be a person that directly, or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with, the specified entity; “parent” shall be an affiliate controlling such entity directly, or indirectly through intermediaries; and “subsidiary” shall be an affiliate controlled by such entity directly or indirectly through one or more intermediaries.

B. The purpose of this Disclosure Statement is to enable the judges of this court to determine the need for recusal pursuant to 28 U.S.C. §455 or otherwise. Counsel shall have the continuing obligation to amend the disclosure statement to reflect relevant changes.

C. The statement shall identify the represented entity's general nature and purpose and if the entity is unincorporated, the statement shall include the names of any members of the entity that have issued shares or debt securities to the public. No such listing need be made, however, of the names of members of a trade association or professional association. For purposes of this rule, a "trade association" is a continuing association of numerous organizations or individuals operated for the purpose of promoting the general commercial, professional, legislative, or other interests of the membership. The form of the Disclosure Statement is set forth in Appendix A to these Rules.

Current LR 5.1

LR 5.1 GENERAL FORMAT OF PAPERS PRESENTED FOR FILING

A. Filing and Paper Size. In order that the files in the clerk's office may be kept under the system commonly known as "flat filing," all papers presented to the court or to the clerk for filing shall be flat and as thin as feasible. Further, all pleadings and other documents presented for filing to the court or to the clerk shall be on 8½ by 11 inch size paper.

B. Withdrawal of Files. Records and papers on file in the office of the clerk of court may be produced pursuant to a subpoena from any federal or state court, directing their production. At the clerk's discretion, records or papers belonging to the files of the court may be temporarily removed by the United States attorney, bankruptcy judges, and public defender of this district upon receipt of a signed requisition. Otherwise, records and papers may be removed from the files only upon order of court. Whenever records and papers are withdrawn, the person receiving them shall leave with the clerk a signed receipt describing the records or papers taken.

C. Exhibits. All exhibits received in evidence, or offered and rejected, upon the hearing of any cause or motion, shall be delivered to the clerk, who shall keep the same in custody, unless otherwise ordered by the court, except that the clerk may without special order permit an official court reporter to withdraw exhibits, by means of a signed descriptive receipt, for the purpose of preparing the transcript.

D. In all cases where money, firearms, narcotics, controlled substances or any matter of contraband is introduced into evidence, such evidence shall be returned by the courtroom deputy to the law enforcement agency whose case is involved for safekeeping immediately after the return of the jury verdict, or in a non-jury case at the close of the evidence. The law enforcement agent will be responsible for its custody if the matter is required for any evidentiary purpose thereafter.

E. Trial exhibits shall be retained by the clerk until it is determined whether an appeal has been taken from a final judgment. In the event of an appeal, exhibits shall be retained by the clerk until disposition of the appeal. Otherwise, they may be reclaimed by counsel for a period of thirty (30) days after which the exhibits may be destroyed by the clerk.

New LR 5.1 (adding 5.1B through 5.1G)

LR 5.1 GENERAL FORMAT OF PAPERS PRESENTED FOR FILING

A. Filing and Paper Size In order that the files in the clerk's office may be kept under the system commonly known as "flat filing," all papers presented to the court or to the clerk for filing shall be flat and as thin as feasible. Further, all pleadings and other documents presented for filing to the court or to the clerk shall be on 8½ by 11 inch size paper.

B. The lettering or typeface shall be clearly legible and shall not be smaller than 12 point word processing

font or, if typewritten, shall not be smaller than pica. The text must be double-spaced, but quotations more than two lines long may be indented and single-spaced. Headings and footnotes may be single-spaced. The font type and size used in footnotes shall be the same as that used in the body of the brief. Margins must be at least one inch on all four sides. Page numbers may be placed in the margins, but no text may appear there.

C. The lettering or typeface shall be on only one (1) side of a page.

D. All papers and other documents filed in this court shall be securely fastened with a paper clip, binder clip or rubber band. The use of plastic strips, staples or other such fasteners is prohibited, with the exception that administrative and judicial records may be firmly bound.

E. Exhibits to a brief or motion shall accompany the brief or motion, but shall not be attached to or bound with the brief or motion. Exhibits shall be secured separately, using either lettered or numbered separator pages to separate and identify each exhibit. Each exhibit also shall be identified by letter or number on the top right hand corner of the first page of the exhibit. Exhibits in support of a pleading or other paper shall accompany the pleading or other paper but shall not be physically bound thereto. In all instances where more than one exhibit is part of the same filing, there shall be a table of contents for the exhibits.

F. Each motion and each brief shall be a separate document.

G. Exceptions to the provisions of this rule may be made only upon motion and for good cause or in the case of papers filed in litigation commenced *in forma pauperis*.

H. Withdrawal of Files. Records and papers on file in the office of the clerk of court may be produced pursuant to a subpoena from any federal or state court, directing their production. At the clerk's discretion, records or papers belonging to the files of the court may be temporarily removed by the United States attorney, bankruptcy judges, and public defender of this district upon receipt of a signed requisition. Otherwise, records and papers may be removed from the files only upon order of court. Whenever records and papers are withdrawn, the person receiving them shall leave with the clerk a signed receipt describing the records or papers taken.

I. Exhibits. All exhibits received in evidence, or offered and rejected, upon the hearing of any cause or motion, shall be delivered to the clerk, who shall keep the same in custody, unless otherwise ordered by the court, except that the clerk may without special order permit an official court reporter to withdraw exhibits, by means of a signed descriptive receipt, for the purpose of preparing the transcript.

J. In all cases where money, firearms, narcotics, controlled substances or any matter of contraband is introduced into evidence, such evidence shall be returned by the courtroom deputy to the law enforcement agency whose case is involved for

safekeeping immediately after the return of the jury verdict, or in a non-jury case at the close of the evidence. The law enforcement agent will be responsible for its custody if the matter is required for any evidentiary purpose thereafter.

K. Trial exhibits shall be retained by the clerk until it is determined whether an appeal has been taken from a final judgment. In the event of an appeal, exhibits shall be retained by the clerk until disposition of the appeal. Otherwise, they may be reclaimed by counsel for a period of thirty (30) days after which the exhibits may be destroyed by the clerk.

Current LR 5.1.1

LR 5.1.1 FAX COPIES

Fax copies will not be accepted for filing unless otherwise ordered by the court.

New LR 5.1.1 (deleting current LR 5.1.1 adopting new LR 5.1.1, which incorporates the existing prohibition of fax copies)

LR 5.1.1 Documents to be filed with the Clerk

A. As to any document required or permitted to be filed with the court in paper form, only the original shall be filed with the clerk.

B. Any document signed by an attorney for filing shall contain under the signature line the name, address, telephone number, fax number, e-mail address (if applicable) and Pennsylvania or other state bar identification number. When listing the bar identification number, the state's postal abbreviation shall be used as a prefix (e.g., PA 12345, NY 246810).

C. Documents shall not be faxed to a judge without prior leave of court. Documents shall not be faxed to the clerk's office, except in the event of a technical failure with the court's Electronic Case Filing ("ECF") system. Technical Failure is defined as a malfunction of court owned/leased hardware, software, and/or telecommunications facility which results in the inability of a Filing User to submit a filing electronically. Technical failure does not include malfunctioning of a Filing User's equipment.

D. A filed document in a case (other than a social security case) shall not contain any of the personal data identifiers listed in this rule unless permitted by an order of the court or unless redacted in conformity with this rule. The personal data identifiers covered by this rule and the required redactions are as follows:

1. **Social Security Numbers**. If an individual's Social Security Number must be included in a document, only the last four digits of that number shall be used;
2. **Names of minor children**. If the involvement of a minor child must be mentioned, only that child's initials shall be used;
3. **Dates of birth**. If an individual's date of birth must be included, only the year shall be used;
4. **Financial account numbers**. If financial account numbers must be included, only the last four digits shall be used.

Additional personal data identifier in a criminal case document only:

5. **Home addresses.** If a home address must be included, only the city and state shall be listed.

E. A party wishing to file a document containing the personal data identifiers listed above may file in addition to the required redacted document:

1. a sealed and otherwise identical document containing the unredacted personal data identifiers, or

2. a reference list under seal. The reference list shall contain the complete personal data identifier(s) and the redacted identifier(s) used in its(their) place in the filing. All references in the case to the redacted identifiers included in the reference list will be construed to refer to the corresponding complete personal data identifier. The reference list must be filed under seal, and may be amended as of right.

The sealed unredacted version of the document or the sealed reference list shall be retained by the court as a part of the record.

The responsibility for redacting these personal identifiers rests solely with counsel and the parties. The clerk will not review each document for compliance with this rule.

New LR 5.4

LR 5.4 Filing of Documents by Electronic Means.

Documents may be filed, signed and verified by electronic means to the extent and in the manner authorized by the court's Standing Order regarding Electronic Case Filing Policies and Procedures and the ECF User Manual. A document filed by electronic means in compliance with this Local Rule constitutes a written document for the purposes of applying these Local Rules, the Federal Rules of Civil Procedure and the Federal Rules of Criminal Procedure.

New LR 5.5

LR 5.5 Service of Documents by Electronic Means.

Documents may be served through the court's transmission facilities by electronic means to the extent and in the manner authorized by the Standing Order regarding Electronic Case Filing Policies and Procedures and the ECF User Manual. Transmission of the Notice of Electronic Filing constitutes service of the filed document upon each party in the case who is registered as a Filing User. Any other party or parties shall be served documents according to these Local Rules, the Federal Rules of Civil Procedure and the Federal Rules of Criminal Procedure.

Current LR 33.1A

LR 33.1 INTERROGATORIES TO PARTIES

A. Interrogatories and Answers to Interrogatories

Interrogatories shall be prepared in such a fashion that sufficient space for insertion of the answers is provided after each interrogatory or sub-section thereof. The original and two (2) copies shall be served upon the party to whom they are directed in cases on the Pittsburgh docket, and the original and three (3) copies in cases on the Erie and Johnstown docket.

The answering party shall insert answers on the original interrogatories served upon him/her and shall retain the original and be the custodian of it.

If there is not sufficient space on the original for insertion of answers, the answering party may use and attach supplemental pages for the answers.

In lieu of the foregoing procedure, the answering party may retype the questions with the answers appearing immediately thereafter.

New LR 33.1A (deleting "...on the Pittsburgh docket, and the original and three(3) copies in cases on the Erie and Johnstown docket.")

LR 33.1 INTERROGATORIES TO PARTIES

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Interrogatories shall be prepared in such a fashion that sufficient space for insertion of the answers is provided after each interrogatory or sub-section thereof. The original and two (2) copies shall be served upon the party to whom they are directed.

The answering party shall insert answers on the original interrogatories served upon him/her and shall retain the original and be the custodian of it.

If there is not sufficient space on the original for insertion of answers, the answering party may use and attach supplemental pages for the answers.

In lieu of the foregoing procedure, the answering party may retype the questions with the answers appearing immediately thereafter.

Current LR 72.1.5D

D. The clerk shall notify the parties in all civil cases that they may consent to have a magistrate judge conduct any or all proceedings in the case and order the entry of a final judgment. Such notice shall be handed or mailed to the plaintiff or his/her representative at the time an action is filed and to the other parties as attachments to copies of the complaint and summons, when served. Additional notices may be furnished by the clerk to the parties at later stages of the proceedings, and may be included with pretrial notices and instructions.

New LR 72.1.5D (deleting existing LR 72.1.5D and adopting new LR 72.1.5D)

D. The plaintiff or his/her representative shall attach to the service copies of the complaint and summons a notice informing the parties to the action that they may consent to have a magistrate judge conduct any or all proceedings in the case and order the entry of a final judgment. Additional notices may be furnished by the clerk to the parties at later stages of the proceedings, and may be included with pretrial notices and instructions.